

**MINUTES
OF A
SPECIAL MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 18 JUNE 2014 2013 AT 6.00 P.M.**

Present:- Councillors Maconachie (Chairman), Cooper (Vice-Chairman), Bicknell, Mrs Bower, R Bower, Brooks, Mrs Brown, L Brown, Chapman, Charles, Clayden, Cooper, Mrs Daniells, Dendle, Dingemans, Elkins, Mrs Emberson, Evans, Haymes, Hitchins, Mrs. Maconachie, Mrs Madeley, Nash, Northeast, Mrs Oakley, Oliver-Redgate, Oppler, Patel, Dr Walsh, Mrs Warr, Wells, Wensley, Wilde and Wotherspoon.

[Note: Councillor Bicknell were absent from the meeting during consideration of the matters referred to in Minutes 48 to 50 (part)].

61. WELCOME

The Chairman welcomed Members, Officers, members of the public and the press to the meeting and he referred to the Council's filming protocol as displayed at the meeting.

62. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Ayling, Bence, Mrs Bowyer, Britton, Mrs Caffyn, Cunard, Edwards, English, Gammon, Mrs Goad, Mrs Hall, Holman, Jones, McDougall, McIntyre, Mrs Neno, Squires, Mrs Stainton, Steward and Tyler and from Honorary Aldermen Mrs Morrish, Mrs Olliver and Mrs Stinchcombe.

63. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

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Reasons

- The Council has adopted the Government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions on the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a member declares a "Prejudicial/Pecuniary Interest", this will, in the interests of clarity for the public, be recorded in the minutes as a Prejudicial and Pecuniary Interest.

There were no Declarations of Interest made.

64. QUESTION TIME

(a) Questions from the public (for a period of up to 15 minutes)

The Chairman invited questions from members of the public who had submitted their questions in advance of the meeting in accordance with the rules of the Council's Constitution. The Chairman announced that supplementary questions would be permitted in view of the number of questions received.

(1) The Leader of the Council, Councillor Mrs Brown, was asked a question referring to the proposed Bognor Regis regeneration plans where back in November 2013 the Council had stated that St Modwen believed it could achieve pre-lets by "early 2014". The questioner asked that now it was mid-2014, could the Council confirm if a cinema operator had been signed up as well as tenants for the bars and restaurants and if not why not? The questioner also referred to St Modwen undertaking further public consultation and asked how this would be programmed into meeting the planning application deadline of 31 December 2014?

The Leader of the Council, Councillor Mrs Brown, responded by stating that the St Modwen proposal was both large and complex and so it was essential for the Council to ensure that it achieved the best arrangement it could for the District. Therefore such matters could not be rushed. Councillor Mrs Brown confirmed that when there was something to be reported to Council, it would be, but not before. She outlined that at that time,

timescales would be clarified and similarly with regard to any financial agreement.

(2) The Leader of the Council, Councillor Mrs Brown, was asked a question relating to the Corporate Peer Challenge and was asked how this could have value when the Council had manipulated who the Peer Challenge Review Team had spoken to. The questioner confirmed that he had queried the value of this operation with the Local Government Association (LGA) who confirmed that they had no control over who they interviewed as the interviewees were selected by the Council. The questioner asked why the largest residents group, the Bognor Regis Civic Society, had been ignored?

The Leader of the Council, Councillor Mrs Brown, explained that the Peer Challenge was a voluntary process and that the Council had decided to undertake this exercise to help improve the Council and to learn from the experience of others. Councillor Mrs Brown outlined the range of Councillors, external partners and local residents that had been interviewed as part of this review and that no pre-briefings or instructions had been given to any of them and that all direct responses had been retained confidentially by the LGA Peer Review Team.

The questioner then asked a supplementary to his first question and asked if this question could be answered, this was had a cinema operator been signed up and if there were tenants, who were they and if this was not the case, why had this not been achieved?

The Leader of the Council, Councillor Mrs Brown, outlined that it was for St Modwen to sign up the pre-lets and that when the Council had matters ready to be reported on, then they would be and at the earliest opportunity.

The questioner then asked a supplementary to his second question and stated that the number of people who attended Civic Society meetings was irrelevant as the Society had a membership of up to 250 people with around 1,000 people being on its circulation list. On this basis he believed that the Society did qualify to be interviewed by the Peer Review Team and so he asked again why the Society had been excluded from taking part in the Peer Review challenge?

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The Leader of the Council, Councillor Mrs Brown, responded by congratulating the Society on achieving its membership numbers. She reiterated what she had confirmed earlier as part of her response in that all of the external contacts interviewed had been identified as people who the Council came into contact with on a very regular basis and so would have a better understanding of the focus of the review which was customer access.

The Chairman then called Public Question Time to an end as the 15 minute time allowed had expired.

65. MINUTES

The Minutes of the Annual Council Meeting held on 4 June 2014 were approved by the Council as a correct record and signed by the Chairman, subject to the following amendment being made to:

Minute 12 (Appointment to Committees) in that Councillor Charles should have been minuted as being the proposed Chairman for the Joint Downland Arun Area Committee and not the Joint Western Arun Area Committee.

The Chairman then proposed this amendment which was seconded by Councillor Cooper. In putting this amendment to the vote it was declared CARRIED and the Minutes were approved.

66. CHAIRMAN'S COMMUNICATIONS

The Chairman referred to his activity sheet which had been circulated to the meeting detailing the events he had attended since becoming Chairman of the Council on 4 June 2014.

The Chairman then reported back to Members on the highlights of two of these events held on 6 and 10 June 2014. He made particular reference to the D-Day afternoon tea event organised by the River Beach School and to the most moving book of D-Day poems that had been produced by Year 6 pupils of the school which had been left in the Members Room for Members to read.

67. URGENT MATTERS

There were no urgent matters for this meeting.

68. STATUTE MATTERS

There were no matters for this meeting.

69. MATTERS FROM THE LAST MEETING

There were no matters for this meeting.

70. ANY OTHER MATTERS

There were no matters for this meeting.

71. LOCAL GOVERNMENT ASSOCIATION – CORPORATE PEER CHALLENGE REVIEW – MARCH 2014 – CUSTOMER SERVICES

The Leader of the Council, Councillor Mrs Brown, presented the report findings following the Local Government Association's (LGAs) visit to the Council to conduct a Corporate Peer Challenge.

Councillor Mrs Brown reminded Members that the Council had invited the LGA to send a Peer Review Team to visit the Council to provide an external 'health check' to consider both the core components of a Corporate Peer Challenge as well as giving particular attention to customer service at Arun and on the Council's Customer Access Strategy.

The Peer Review Team had included Officers and Members from other Councils who were supported by Officers from the LGA and Councillor Mrs Brown stated that she was pleased to now be able to report back to Council the findings from the Peer Challenge Team and especially the positive feedback that had been provided, which she stated the Council and its staff should be immensely proud of.

Councillor Mrs Brown summarised the findings from the review and confirmed that the Council benefited from strong staff commitment to deliver good customer service and that a core group of staff were focusing on the delivery of the Council's Customer Access Strategy. Councillor Mrs Brown outlined that the Council had much to be proud of and that it had recently won a raft of national awards; was the third best Council in West Sussex for business growth; and in the first part of this year had been the best performing Council in West Sussex in terms of producing the most houses now totalling 800 in the last three years.

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Despite this positive feedback, Councillor Mrs Brown confirmed that the report had also identified areas for development and she referred Members to Appendices 1 and 2, attached to the report, which listed the Peer Review Team's overall observations and messages. Councillor Mrs Brown then formally proposed the recommendations in the report which she asked Members to support and these were seconded by Councillor Wensley.

Members then discussed the findings listed from the review undertaken and confirmed that the Peer Review Challenge had been a useful exercise to undertake as the areas looked at had been set against a key set of criteria. Members stated that the findings identified were interesting and discussion focused on several different areas. Firstly, with regard to partnership organisations and working with other Councils, the view was expressed that the Council should increase its efforts to cooperate more with the Town and Parish Councils and that there was a need to raise visibility in this area in terms of what the Council could deliver together with the Towns and Parishes in the future.

Secondly, mention was made of the Council's future financial challenges and the key suggestions that had been listed to help address these issues. One suggestion listed by the Peer Review Team was the need for the Council to raise the visibility of its work to promote economic growth, jobs and skills. Although it was accepted that the Council actually did quite a lot to meet this specific suggestion, it was the view of one Councillor that the Council needed to look at the idea of formulating an Arun Enterprise Fund to assist small businesses to work in a proactive way which would assist in creating local jobs and in assisting businesses to expand.

Another issue of importance raised was that of political and managerial leadership. There were some Councillors who felt that not enough mention had been made about the Council's consultation processes. It was felt that there was an issue with consultation in that although the Council did consult and did listen to its consultees, it did not always proceed in taking on board the points that arose from its consultation.

Finally, the general view expressed was that the findings from the review were positive even though there were challenges that the Council would need to face in the future. Councillor Mrs Brown, as proposer of the recommendations, asked Members to focus on what the review was about, customer services, and that it was important for the Council to look carefully at the findings of the review so that these could be taken on board and the actions outlined achieved.

The Council

RESOLVED – That

- (1) the findings of the Corporate Peer Review Challenge in relation to its review visit be noted; and
- (2) the actions to be taken to improve specific core corporate components and customer services be noted.

72. CABINET – 16 JUNE 2014

The Chairman, Councillor Mrs Brown, in presenting a section of the Minutes from the meeting of Cabinet held on 16 June 2014, which had been circulated at the meeting, explained that there were only two recommendations that required consideration at this meeting, these being Minute 34 (Planning Appeal at Nyton Road, Westergate) and Minute 36 (Bognor Regis Regeneration Sub-Committee – 27 May 2014). This was due to their urgent nature and because they could not wait until the next Full Council meeting being held on 16 July 2014. Councillor Mrs Brown outlined that the rest of the Minutes would be considered at Full Council on 16 July 2014.

Councillor Mrs Brown then referred Members to the first recommendation at Minute 34 (Planning Appeal at Nyton Road, Westergate). She explained that an appeal had been submitted against the decision of the Council to refuse planning permission for 268 dwellings at Nyton Road, Westergate and that this appeal would be dealt with by way of Public Inquiry. A supplementary estimate of up to £20,000 was therefore required to fund Counsel costs associated with defending this Appeal. Councillor Mrs Brown asked Members to support this request and in doing so formally proposed the recommendation which was then seconded by Councillor Bower.

The Council

RESOLVED

That a supplementary estimate of up to £20,000 be approved for Counsel costs associated with defending an appeal in respect of Planning application AL/61/13. Arun Planning Officers will act as witnesses on behalf of the Council. [This equates to a Band D Council Tax of £0.36].

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Councillor Mrs Brown then referred Members to the second recommendation at Minute 36 (Bognor Regis Regeneration Sub-Committee – 27 May 2014) and reminded Members that at the meeting of the Bognor Regis Regeneration Sub-Committee held on 27 May 2014, it had been confirmed that it was now necessary for the Council to fund the internal fit out of the proposed new café at Hotham Park, together with providing landscaping around the site. This change to the original specification would result in the requirement for a supplementary estimate of up to £140,000 to be approved. Councillor Mrs Brown emphasised the importance that the new café would contribute to the continuing regeneration of Bognor Regis and she ensured Members that the new café would be up and running by Spring 2015. She accepted that this was a big investment for the Council but that the Council was committed to providing the new café and the long-term benefits that this new facility would bring to Hotham Park and the Town of Bognor Regis as a whole. Councillor Mrs Brown then formally proposed the recommendation which was seconded by Councillor Wensley.

Debate on this recommendation saw many views being expressed. Great concern was raised over the way this project had been managed which had seen delay after delay and so reassurance was now sought that this new café would be up and running for Spring 2015 and at no further cost. Of most concern was that Hotham Park had been left with no satisfactory cafe provision for some time now which was seen as a dis-service to the people of Bognor Regis, its visitors and users of the park, especially as the previously run café had successfully met the needs of park users.

Concern was expressed over the additional £140k sought to complete this project and whether this funding could be spent more wisely on other regeneration projects. Hotham Park was seen by many as the jewel in Bognor Regis' crown and as such some Members were of the view that a destination restaurant/café was not required to enhance the park but that the funding being discussed should be put towards improving planting and children's activities.

Comments were made about the location of the café and that the funding proposed would not include the fitting out of kitchen facilities and so concern was expressed that this might affect the number of expressions of interest received from operators and would then impact the cost of purchasing food items from the café, which could be expensive to cover such costs such as rent and fit-out works.

Councillor Mrs Brown, as the proposer of the recommendation, reassured Members that the £140k did contain an element of contingency and that what was proposed was to spend 'up to' £140k. Potential operators had been consulted to obtain their views and from this it had been concluded that it would be appropriate for the Council to fund the internal fit out of the building during the main construction phase. Councillor Mrs Brown informed Members that any operator would still be responsible for the fitting out of the kitchen area, internal decoration and internal and external seating and that she was confident that there would be interest from operators. Finally, Councillor Mrs Brown reminded Members that the decision had already been made to provide a quality café in the park and that the project should be regarded as a good and not a bad news item.

A request was received that the voting on this item should be recorded. Those voting for it were Councillors Bicknell, Mrs Bower, R Bower, Mrs Brown, L Brown, Chapman, Charles, Clayden, Cooper, Mrs Daniells, Dendle, Dingemans, Elkins, Mrs Emberson, Evans, Mrs Harrison, Haymes, Hitchins, Mrs Maconachie, Mrs Madeley, Mrs Oakley, Oliver-Redgate, Oppler, Patel, Mrs Pendleton, Dr Walsh, Mrs Warr, Wells, Wensley, Wilde and Wotherspoon (31); and those voting against were Councillors Brooks, Nash and Northeast (3). Councillor Maconachie abstained from voting.

The Council

RESOLVED

That a supplementary estimate of up to £140,000 in respect of the Hotham Park Café be approved. [this equates to a Council Tax Band D of £2.50].

(The meeting concluded at 7.18 pm)